

Public Hearing
4/01/10

Senate Committee on Transportation, Tourism, Forestry & Natural Resources

Testimony provided by Randy Harden of the Wisconsin ATV Association (WATVA)

Chair – Senator Jim Holperin

Senators Jim Sullivan, Jeff Plale, Dave Hansen, Joe Leibham, Neal Kedzie, and Glenn Grothman

Re: SB 606 & AB 837 - Relating to age restrictions, headgear requirements, and safety certificate requirements regarding the operation of an all-terrain vehicle with 2 amendments

Requesting your support for this bill

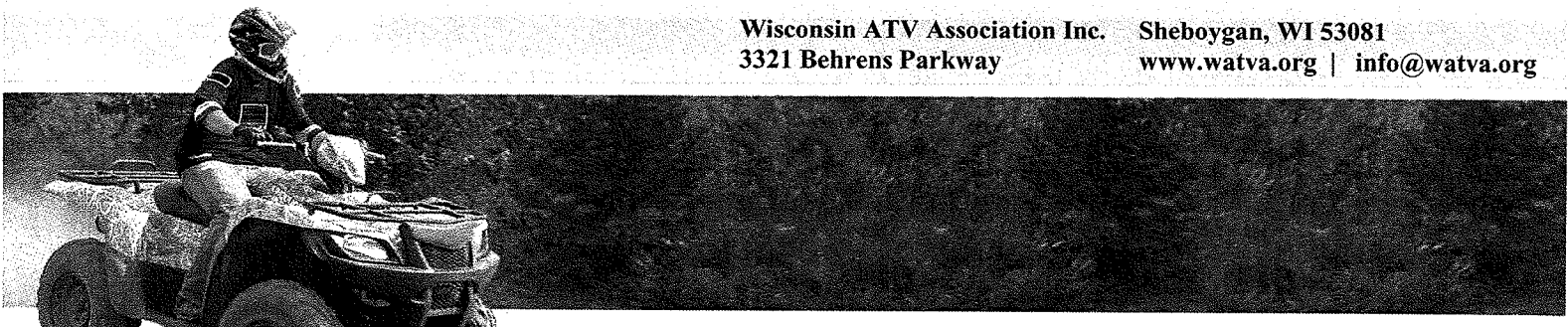
Thank you for the opportunity to testify and for your consideration to help us update and improve our ATV registration program.

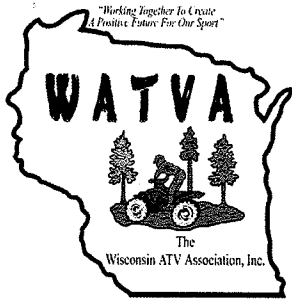
I would like to share with you some background perspective as to why the leaders in our association have asked for these law changes. Large segments of our local club members are DNR certified ATV safety instructors and Trail Patrol Ambassadors, currently 679 at this time to be exact.

These hard working dedicated volunteers are on the front lines of our sport. We interact with the youth and their parents in the safety classes as instructors and while out riding on the trail systems serving our duties as trail patrol ambassadors. Our everyday experiences in this field tell us the ATV statutes need to be updated, reflecting the increased numbers of riders in the program.

Wisconsin ATV Association Inc.
3321 Behrens Parkway

Sheboygan, WI 53081
www.watva.org | info@watva.org





I would also like to note that this bill was drafted with the participation of our DNR Bureau of Law Enforcement ATV administrator. We proudly work alongside of and in cooperation with our warden force as they also serve a very important role in educating our youth and adults alike, whether at our safety classes or by enforcing the law out on the trail systems.

This bill has some parts that are asking for **more** safety restrictions. Some parts of the bill are aimed at making the law more consistent, while other changes **may appear to be less restrictive if not familiar** with how the ATV recreational family enjoys their time in the great outdoors of Wisconsin.

It should be noted our organization does not wish to infringe on or change the agricultural parameters and use of the workhorse all-terrain vehicle on the farm. Our goal is to protect and improve the recreational and family use side of the sport.

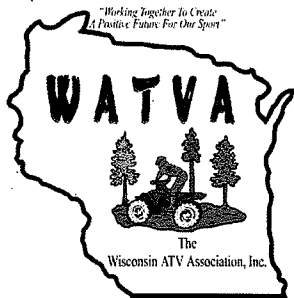
I have provided an executive summary reference from the Wisconsin Dept. of Tourism; survey results of an economic and demographic profile of Wisconsin ATV users. The study is somewhat dated but I contend still pertinent as it applies to **Trip Characteristics** at the bottom of page 2. ATVers enjoy riding with family and friends as highlighted. As the age of the typical ATV owner continues to increase, the "baby boomers" now enjoy riding with their adult kids but are also a positive influence and role model with and for their grandkids. When the original laws were written in the mid-1980's who could have predicted the widespread popularity of the all-terrain vehicle? This bill allows for a common sense adjustment that reflects on today's riders and their different age groups.

As it applies to small ATV riders under the age of 12 (smaller engines & frames) we are asking the change in wording for the parent / adult to go from "**being supervised**" to the more stringent "**accompanied by**". This change requires the parent / adult to have *continuous* verbal direction and or control of the youth.

Wisconsin ATV Association Inc.
3321 Behrens Parkway

Sheboygan, WI 53081
www.watva.org | info@watva.org





Currently grandparents (or uncle and aunts / family friends) **cannot** legally “accompany” instruct or ride with a youth under age 12 on any property but the youth’s immediate family land. Only a parent can “accompany” that same youth on state trails. In today’s society we recognize the reality that grandparents and other family members and friends are an integral part of our younger children’s lives. This bill provides for the reality of today’s intergenerational families.

Another reality is our state has a lot of wetlands and waterways. Our ATV trail systems have many rural forest type road routes the ATV trail system uses small sections of to cross bridges and to bypass wetlands. These sections are classified as “road routes”.

As my testimony stated previously, who could have predicted the explosion in growth of the ATV industry? Current law requires the older youth that has reached the age of 12 to take and pass a DNR ATV safety class before they can ride our trail systems. These kids are larger in size and are can operate larger ATVs; however they are now permitted to ride any road route with **no parent oversight, road traffic training or adult involvement**. Our group recognizes this law needs to be changed. Per the amendment that was inadvertently omitted during multiple drafting changes, we request youth that are driving on road routes under the age of 16 be required to have a parent or parent designated adult accompany them on routes.

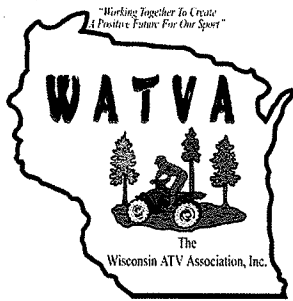
The off-highway vehicle motorsports industry is big business in Wisconsin. We have a major manufacturing plant within our borders, we have well over 250 dealerships and repair shops that employ thousands. Some campgrounds and resorts, motels and other trail related businesses cater to the ATV riders as their source of income. Like any other business, this industry must market their products and find a way to get new customers. That is often done by having ATV demonstrations.

This bill provides a common sense solution with the utmost in safety of the participant. In 2004 we supported and encouraged the mandatory ATV safety training that is enforced today but there was no exemption for those citizens that have not yet purchased an ATV.

Wisconsin ATV Association Inc.
3321 Behrens Parkway

Sheboygan, WI 53081
www.watva.org | info@watva.org





Lastly, my safety instructors and patrollers stress the importance of helmets for all riders, recognizing the Wisconsin helmet law that mandates riders under the age of 18 always wear a helmet. For some reason, back in the mid-1980s when the original ATV laws were passed, there was a helmet exemption for youth under age 18 if they were using their ATV for hunting or fishing purposes. That exception is being abused by a growing number of youthful riders. A person using their ATV for hunting purposes can't hunt from the ATV anyway; my membership requests this exception be removed so the current helmet law is consistent across the state and in all circumstances.

Our organization strongly favors this bill and requests your support.

Thank you again for this opportunity to help us manage this recreational sport and industry for the betterment of Wisconsin.

Wisconsin ATV Association Inc.
3321 Behrens Parkway

Sheboygan, WI 53081
www.watva.org | info@watva.org





WISCONSIN DEPARTMENT OF TOURISM
RESEARCH

Economic & Demographic Profile of Wisconsin's ATV Users:

Results of an economic survey conducted between June and October 2003

Executive Summary

March 2004

In conjunction with

Wisconsin ATV Association (WATVA)

**Department of Urban & Regional Planning
University of Wisconsin – Madison/Extension**





WISCONSIN DEPARTMENT OF TOURISM RESEARCH

Introduction

The All-Terrain Vehicle (ATV) industry has witnessed changes since Honda introduced the first ATV in 1971 – the three-wheeler. During the 1980s Suzuki was credited with introducing the first four-wheeler. According to the Specialty Vehicle Institute of America (SVIA), an ATV is defined as a four-wheeled motorized vehicle designed for a single rider. In more general terms, a durable vehicle used for work and recreational purposes.

According to an article in the September 2003 issue of *ATV Action*, “when it comes to four-wheeling, Wisconsin is an undiscovered paradise.” During the past 15 years, ATV usage has increased dramatically. The Wisconsin Department of Natural Resources began registering ATVs in 1986, and by the end of 1987 there were a total of 25,600 registered ATVs. Just ten years later, that figure more than tripled to 79,245, and by the end of 2003, there were a total of 192,211 registered ATVs in the state. The popularity of ATV trail riding is evident in that Wisconsin is home to 5,555 miles of state-funded trails; 1,559 miles open for summer usage and 3,996 miles available in the winter. These figures do not include trails found on private lands or operated as club trails.

2003 Profile of Wisconsin's ATV Users

- The majority of riders come from the Midwest: Wisconsin (86%), Minnesota (6%), Illinois (5%), Iowa (2%), Indiana (0.6%) and Michigan (0.5%). The shaded counties indicate the residence of midwestern visitors who took ATV trips in Wisconsin this summer.
- The average age of survey respondents was 40 years. Thirty percent have annual household incomes between \$41,000 and \$60,000; 24% had incomes between \$61,000 and \$80,000.
- Favored leisure activities include ATV riding, hunting, fishing, camping, snowmobiling and boating.
- Most (97%) owned their ATVs and on average, own two machines. Over the course of a year, these riders take an average of six Wisconsin ATV trips. Seven out of ten indicated they ride their ATVs in the winter.
- When planning their leisure trips, ATV users primarily rely on word of mouth recommendations, the Internet, Wisconsin's Tourism Guides, local tourism information, the DNR, and magazines.



**County of Residence for Wisconsin's
Midwestern ATVers**

Trip Characteristics

- Over half were in the area to specifically ride the trails; 21% were attending an ATV event as well as riding the trails; 17% were attending an ATV event and 5% were on a leisure trip.
- The majority (62%) were on an overnight trip from home and staying in RVs, hotel/motel, 2nd/vacation homes, with family and friends, campgrounds or rented cabins.
- Overall ATV visitors stayed 3 nights in the area. RV campers stayed the longest (3.7 nights) and hotel/motel visitors stayed the shortest (2.5 nights).
- The average ATV party consisted of almost five people and was primarily comprised of family and friends or family only groups. Over half of all travel groups did not have children under the age of 15.

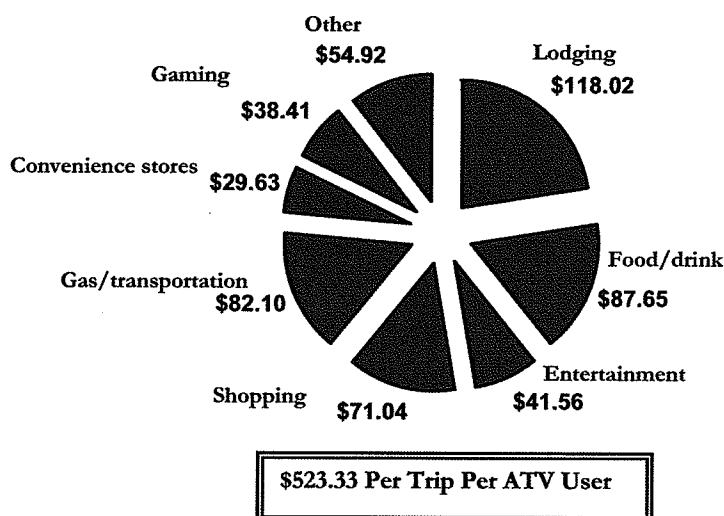


WISCONSIN DEPARTMENT OF TOURISM RESEARCH

- ATV users were planners. Twenty-five percent planned their trip within a month and 24% planned it between 1-3 months in advance. They relied on word of mouth recommendations, ATV clubs and the Internet ATV information.
- Other trip-related activities ATVers participated in while in the area included shopping, dining, visiting family/friends, attending ATV races, festival/event, water-related sports, going to a casino, museum/historic site, or other area activities.

Spending Habits of ATV Users

Annual ATV expenditures were broken down into an average cost per trip. The graph below shows the average amount spent per person per ATV trip.



The average total per person per trip was \$523.33. Taking into consideration Wisconsin's ATVers stayed an average of 3.2 nights, the average daily expenditure was \$163.54.

Total ATV User Spending

The individual per spending (\$523.33) patterns were expanded to include total spending using estimates of the total number of ATV registrations by state, the number of ATVs owned per individual, the number of trips taken per individual, and regional incidence of trail use and the respective trail mileage.

Based on this analysis, the annual total spending by all ATV users was \$295,285,693.

Spending by Out-of-State ATV Users

Economic impact analysis identifies the "new dollars" flowing into a region from visitors who reside outside that region. For the state of Wisconsin, this amount of **new money** represents that which is spent by out-of-state ATV users. The total annual spending in Wisconsin by out-of-state ATVers is \$34,698,614.

For a copy of the full report from this study, please contact Sue Hamilton at shamilton@travelwisconsin.com or 608/266-6792.

March 30, 2010

Testimony for Senate Bill 606

Public Hearing Committee on Tourism, Recreation and State Properties

Dear Chairman and Committee Members thank you for allowing be to comment on SB 606.

My name is Rob McConnell, VP of the Wisconsin ATV Association.

Support for this legislation will allow a person under the age of 12 to operate an ATV any place that it is legal to operate an ATV. Provided that person under the age 12 is operating a small ATV (under 90cc) and that they are accompanied by their parent or guardian or a person who is at least 18 years of age who is designated by the parent or guardian.

With this change an Aunt, Uncle, Grandfather, etc. will be able to accompany a youth (under 12) on a trail ride or just allowing that youth to operate an ATV on that person's property.

I have been an ATV Instructor for both the DNR and ATV Safety Institute for over 20 years. In the past we have had no legal mechanism to provide that training for youth. With the passage of this bill this will become lawful.

Under the current law youth are allowed to operate an ATV without a helmet when they are hunting or fishing, this is a pointless exemption as who would fish from a moving ATV and it is illegal to hunt from one already.

Everyone under 18 should wear a helmet when operating an ATV.

With all the distractions of electronic games and gadgets, having an activity that gets kids outside and recreating with their entire family on the trail, is a great escape. Riding an ATV develops hand and eye coordination and depth perception. As children age their strength will increase and they will be able to ride longer between rest stops.

To get an idea of the size of a small (youth) ATV see the attached photo of my grandson riding when he was 6 years old.

Thank for allowing me to comment on legislation that will help protect our youth, and allow families to recreate together in Wisconsin, we ask for your support of this important legislation.

Thank you



March 17, 2010

Testimony for Assembly Bill 837 at public Hearing for Committee on Tourism,
Recreation and State Properties.

My Name is Max White-Ray; I am 9 years old, and go to Lincoln Elementary School in
Madison.

This legislation will allow me to ride my ATV with my Grandpa on ATV trails. This is
something that I wanted to do for a while! I thank you for letting me do this! I appreciate
it! Thank you! I love that you did this for kids! Thank you! You are the best! You should
try and ride one too.

But make sure to wear a helmet and long pants to protect yourself when you ride.

Thank you for listening to my ideas.

This Legislation will allow me
to ride my ATV with my grandpa on
ATV trails. This is something
I wanted to do for a while! and I
thank you for letting me do that!
I appreciate it!!! Thank you! and I
love that you did this for all kids! Thank
you! You are the best! and you should
try to ride one!